

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SEQUIEA JOHNSON,

Plaintiff,

No. 23-10919

v.

Honorable Nancy G. Edmunds

HOME DEPOT U.S.A., INC.,
USP HOME, LLC, and
JOHN DOE,

Defendants.

/

**ORDER HOLDING THE COURT'S
ORDER TO SHOW CAUSE IN ABEYANCE**

Plaintiff filed her complaint bringing claims under Michigan state law in the Wayne County Circuit Court, but Defendant Home Depot U.S.A., Inc. ("Defendant") removed the matter to this Court based on diversity jurisdiction. (ECF No. 1.) On May 1, 2023, the Court issued an order to show cause directing Defendant to properly allege the citizenship of its co-defendant, USP Home, LLC, and providing notice of the Court's intention to remand this case on its own motion for lack of complete diversity as required by 28 U.S.C. §§ 1332(a), 1441(a). (ECF No. 4.) Defendant has now responded to the Court's order to show cause. (ECF No. 5.) Defendant indicates that the sole member of USP Home, LLC is USP Sub Parent LLC, but states that the members of that entity are not known. Thus, Defendant has not met its burden of proving that this Court has diversity jurisdiction over this case. Because USP Home, LLC has not yet been served, however, the Court will hold its previously issued order to show cause in abeyance. Once USP Home, LLC appears in this matter, Defendant shall, within seven (7) days of

the date of that appearance, provide additional information regarding USP Home, LLC's citizenship to the Court and show why this case should not be remanded to the Wayne County Circuit Court for lack of federal jurisdiction.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: May 15, 2023

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 15, 2023, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager